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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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In re:) AWA Docket No. 13-0109
)
Alaska Airlines, Inc.,)
)
Respondent.) Consent Decision and
) Order

This proceeding was instituted under the Animal Welfare Act, as amended (7 U.S.C. §§ 2131-2159), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the respondent willfully violated the Act and the regulations issued pursuant to the Act (9 C.F.R. §§ 1.1-4.11). This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

The respondent admits the jurisdictional allegations in paragraph I of the complaint as amended by Chief Judge Davenport's March 21, 2013, Order, and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations of the complaint, waives oral hearing and further procedure, and consents and agrees, for the purpose of settling this proceeding as well as all remaining alleged violations which may have occurred on or before December 12, 2012, and for such purposes only, to the entry of this decision.

The complainant agrees to the entry of this decision.

Findings of Fact

(a) Alaska Airlines, hereinafter referred to as respondent, is a corporation, whose mailing address is P.O. Box 68900, Seattle, Washington 98188, and respondent's registered agent for service is Keith Loveless whose mailing address is 19300 International Blvd., Seattle, Washington 98188-5304.

(b) The respondent, at all times material herein, was registered and operating as a class T carrier, Certificates #91-T-0001, as defined in the Act and the regulations.

Conclusions

The respondent has admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

Order

1. Respondent, its agents and employees, successors and assigns, directly or through any corporate or other device, shall cease and desist from violating the Act and the regulations and standards issued thereunder, and in particular, shall cease and desist from:

(a) Failing to ensure that primary enclosures used to transport live dogs and cats are strong enough to withstand the normal rigors of transportation, and contain the animal securely and comfortably; and

(b) Failing to handle primary enclosures for animals accepted for transport in commerce as required.

2. Respondent is assessed a civil penalty of \$20,000.00 which shall be paid by certified check or money order made payable to the Treasurer of the United States immediately following the effective date of this order.

The provisions of this order shall become effective on the first day after service of this decision on the respondent.

Copies of this decision shall be served upon the parties.



Alaska Airlines, Inc.
Respondent



Buren W. Kidd
Attorney for Complainant

Done at Washington, D.C.

this 16th day of April, 2013



Administrative Law Judge